

ORIGINAL

Decision No. 91820 MAY 20 1980

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the matter of the application)
of Mariposa Stage Lines for a)
certificate of public convenience)
and necessity to operate as a)
passenger stage corporation)
between Mariposa and El Portal.)

Application No. 59453
(Filed February 13, 1980)

O P I N I O N

Isao Hamamoto (applicant), dba Mariposa Stage Lines, requests a certificate of public convenience and necessity to operate as a passenger stage corporation for the transportation of passengers and their baggage between the Mariposa Airport, on the one hand, and Yosemite National Park (Yosemite), on the other hand.

Applicant proposes to operate on an on-call basis with a two-hour notice requirement prior to departure. The proposed one-way fares are \$10 for adults and \$5 for children under 12 years of age.

Applicant proposes to use a 25-passenger Dodge van for the operation. The financial statement attached to the application shows assets exceeding liabilities by \$23,000.

In support of the application, applicant states that: (1) the granting of the request would be in the public interest; (2) the proposed service is not now available; (3) applicant has received numerous requests for the service; (4) with this service persons with limited time could visit Yosemite by flying into Mariposa; and (5) the proposed service would reduce traffic congestion and pollutants in the Yosemite area.

The application was listed on the Commission's Daily Calendar of February 15, 1980. A copy of the application was served on the County of Mariposa. There have been no protests.

Findings of Fact

1. Public convenience and necessity require the proposed service.
2. Applicant has the ability, equipment, and financial resources to perform the proposed service.
3. The proposed fares are reasonable.
4. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
5. The application was duly noticed and no protests have been received.

Conclusion of Law

The Commission concludes that the application should be granted. A public hearing is not necessary.

Applicant is placed on notice that operative rights, as such, do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the State, which is not in any respect limited as to the number of rights which may be given.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity (PSC-1110) is granted to Isao Hamamoto, dba Mariposa Stage Lines, authorizing him to operate as a passenger stage corporation, as defined in Section 226 of the Public Utilities Code, between the points and over the route set forth in Appendix A of this decision.

2. In providing service pursuant to the authority granted by this order, applicant shall comply with the following service regulations. Failure to do so may result in a cancellation of the authority.

- (a) Within thirty days after the effective date of this order, applicant shall file a written acceptance of the certificate granted. Applicant is placed on notice that if he accepts the certificate he will be required, among other things, to comply with the safety rules administered by the California Highway Patrol, the rules and other regulations of the Commission's General Order No. 98-Series, and the insurance requirements of the Commission's General Order No. 101-Series.
- (b) Within one hundred twenty days after the effective date of this order, applicant shall establish the authorized service and file tariffs and timetables, in triplicate, in the Commission's office.
- (c) The tariff and timetable filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff and timetable filings shall be concurrent with the establishment of the authorized service.
- (d) The tariff and timetable filings made pursuant to this order shall comply with the regulations governing the construction and filing of tariffs and timetables set forth in the Commission's General Orders Nos. 79-Series and 98-Series.
- (e) Applicant shall maintain his accounting records on a calendar year basis in conformance with the applicable Uniform System of Accounts or Chart of Accounts as

prescribed or adopted by this Commission and shall file with the Commission, on or before March 31 of each year, an annual report of his operations in such form, content, and number of copies as the Commission, from time to time, shall prescribe.

The effective date of this order shall be thirty days after the date hereof.

Dated MAY 20 1920, at San Francisco, California.

John E. Burns President
William L. Fitzgerald
Richard H. Gravelle
Charles J. DeWitt
Thomas M. Quinn Commissioners

/ks *

Appendix A

Isao Hamamoto
doing business as
Mariposa Stage Lines

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CERTIFICATE
OF
PUBLIC CONVENIENCE AND NECESSITY

PSC-1110

TO OPERATE AS
A PASSENGER STAGE CORPORATION

Showing passenger stage operative rights, restrictions, limitations,
exceptions, and privileges applicable thereto.

All changes and amendments as authorized by
the Public Utilities Commission of the State of California
will be made as revised pages or added original pages.

Issued under authority of Decision No. 91820
dated May 20, 1980 of the Public Utilities Commission
of the State of California, in Application No. 59453.

PSC-1110

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PSC-1110

SECTION 1. GENERAL AUTHORIZATIONS, RESTRICTIONS, LIMITATIONS,
AND SPECIFICATIONS.

Isao Hamamoto, doing business as Mariposa Stage Lines, by the certificate of public convenience and necessity granted by the decision noted in the margin, is authorized to transport passengers and their baggage between Yosemite Airport at Mariposa and Yosemite National Park, over and along the route hereinafter described, subject, however, to the authority of this Commission to change or modify said route at any time and subject to the following provisions:

- (a) Motor vehicles may be turned at termini and intermediate points, in either direction, at intersections of streets or by operating around a block contiguous to such intersections, in accordance with local traffic regulations.
- (b) When route descriptions are given in one direction, they apply to operation in either direction unless otherwise indicated.
- (c) No service shall be provided to or between intermediate points.
- (d) No passengers shall be transported except those having point of origin or destination at said Yosemite Airport at Mariposa.
- (e) Service to be operated on an "on-call" basis.

The term "on-call" as used herein refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs and timetables shall show the conditions under which each authorized "on-call" service will be rendered.

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Decision No. _____, Application No. 59453.

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Appendix A

Isao Hamamoto
doing business as
Mariposa Stage Lines

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SECTION 2. ROUTE DESCRIPTION.

Commencing at the Yosemite Airport at Mariposa thence
via State Highway 49 and State Highway 140 to Yosemite National Park.

(END OF APPENDIX A)

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